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9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 IN AND FOR THE COUNTY OF TUOLUMNE

11 **GENERAL ORDER RE: REDUCTION OF**
12 **COURT OPERATIONS TO ESSENTIAL**
13 **FUNCTIONS AND EXTENDING TIME**
14 **PURSUANT TO CALIFORNIA RULES OF**
COURT, EMERGENCY RULE 8

GENERAL ORDER NO. 20-0006

15 Due to Governor Gavin Newsom proclaiming a State of Emergency in California as a result of
16 COVID-19 on March 4, 2020; Governor Newsom issuing a shelter in place order with limited
17 exceptions for essential services; the State Public Health Officer announcing that gatherings should be
18 postponed or canceled across the state until at least the end of May 2020; Governor Newsom declaring
19 that persons gathered in connection with essential services must implement social distancing of six feet
20 per person; the Sonoma County Council's declaration of a local state of emergency on March 16, 2020; the
21 Tuolumne County Office of Emergency Services' declaration of a local state of emergency on March
22 17, 2020; President Donald J. Trump declaring a national emergency and issuing directives targeted at
23 reducing social contact to reduce the spread of COVID-19 on March 13, 2020; Governor Newsom, on
24 March 27, 2020, issuing Executive Order N-38-20, which among other things, suspended Government
25 Code section 68115 and any other provision of law to the extent that those laws impose or imply a
26 limitation on the Chief Justice's authority to authorize via emergency order or statewide rule, any court
27 to take any action deemed necessary to maintain the safe and orderly operation of the courts; pursuant
28 to the Statewide Orders executed by the Chief Justice on March 23, 2020, and March 30, 2020;

1 pursuant to amendments to the California Rules of Court adopted by the Judicial Council of California
2 on April 6, 2020; and under the authority granted pursuant to Government Code section 68115 to
3 protect the health and safety of the public, court personnel, and criminal litigants brought before the
4 court, the court **HEREBY ORDERS AS FOLLOWS:**

5 1. From April 20, 2020 through May 15, 2020, the court will hear only the following time-
6 sensitive, essential functions:

- 7 a. Civil temporary restraining orders involving conduct;
- 8 b. Family ex parte hearings, including domestic violence proceedings and other
9 safety issues;
- 10 c. Hague Convention (international kidnapping);
- 11 d. Probate ex parte hearings concerning elder abuse;
- 12 e. Probate emergency petitions for temporary guardianship;
- 13 f. Probate emergency petitions for temporary conservatorship;
- 14 g. *Riese* hearings;
- 15 h. Day and nighttime warrants and orders including the following:
 - 16 i. Search;
 - 17 ii. Arrest;
 - 18 iii. Juvenile detention;
 - 19 iv. Juvenile interview;
 - 20 v. Bail enhancement;
 - 21 vi. Emergency protective orders;
 - 22 vii. PEN register;
 - 23 viii. GPS;
 - 24 ix. Parole;
 - 25 x. Gun violence RO.
- 26 i. Criminal, in-custody and/or other time-sensitive or critical matters, including,
27 but not limited to, pre-preliminary hearings;
- 28 j. Emergency writs challenging COVID-19 emergency measures;

- 1 k. In-custody arraignments for new filings, warrants of arrest, and parole
2 revocations;
- 3 l. Ex parte requests and writs;
- 4 m. In-custody juvenile dependency and delinquency proceedings; however, in
5 accordance with Judicial Council Emergency Rules 6 and 7 effective April 6,
6 2020, the following proceedings should be prioritized in accordance with
7 existing statutory time requirements until the state of emergency related to the
8 COVID-19 pandemic is lifted:
- 9 i. Protective custody warrants filed under Welfare and Institutions
10 Code section 340;
- 11 ii. Detention hearings under Welfare and Institutions Code section
12 319;
- 13 iii. Psychotropic medication applications;
- 14 iv. Emergency medical requests;
- 15 v. Petitions for reentry of a non-minor dependent;
- 16 vi. Petitions filed under Welfare and Institutions Code section 388
17 that require an immediate response based on the health and safety
18 of the child;
- 19 vii. Hearing on any request for a warrant for a child; and
- 20 viii. Probable cause determinations for children who have been
21 detained but have not had detention hearings within the statutory
22 time limits.
- 23 n. Any matter a judge determines should remain on calendar. Notice will be
24 provided to parties that their matter remains on calendar.

25 These matters will be conducted with strict distancing protocols of at least 6 feet of
26 social distance between persons being followed.

27 2. All other matters are hereby continued by the court. The parties shall receive notice
28 stating the specific time and date of the continuance in their cases.

3. In accordance with California Rules of Court, Emergency Rule 8, the court extends the following orders for any emergency protective order, temporary restraining order, or criminal protective order that was requested, issued, or set to expire during the state of emergency related to the COVID-19 pandemic. This includes requests and orders issued under Family Code sections 6250 or 6300, Code of Civil Procedure sections 527.6, 527.8, 527.85, Penal Code sections 213.2, 18125 or 18150, or Welfare and Institutions Code sections 213.5, 304, 362.4, or 15657.03, and including any of the foregoing orders issued in connection with an order for modification of a custody or visitation order issued pursuant to a dissolution, legal separation, nullity, or parentage proceeding under Family Code section 6221:

- a. Any emergency protective order made under Family Code section 6250 that is issued or set to expire during the state of emergency, must remain in effect for up to **30** days from the date of issuance.
- b. Any temporary restraining order or gun violence emergency protective order, issued or set to expire during the state of emergency related to the COVID-19 pandemic, must be continued for a period of time that the court determines is sufficient to allow for a hearing on the long term order to occur, for up to **90** days.
- c. Any criminal protective order, subject to this rule, set to expire during the state of emergency, must be automatically extended for a period of **90** days, or until the matter can be heard, whichever occurs first.
- d. Any restraining order or protective order after hearing that is set to expire during the state of emergency related to the COVID-19 pandemic must be automatically extended for up to **90** days from the date of expiration to enable a protected party to seek a renewal of the restraining order.

THIS ORDER IS EFFECTIVE IMMEDIATELY.

DATED: April 20, 2020.


DONALD SEGERSTROM
Presiding Judge of the Superior Court